

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- August 8, 1972

The meeting of the Commission was called to order at 7:00 p.m. in the Council Room, Municipal Building.

Present

William Milstead, Chairman
Charles Betts
Bob Bobbitt
Royce Faulkner
C. W. Hetherly
Jean Mather
Buford Stewart

Absent

Sonia Ashworth
David Barrow, Jr.

Also Present

Richard Lillie, Director of Planning
Jack Alexander, Assistant Director of Planning
Stuart Henry, Office of Environmental Resource Management
Clifford Kaufman, Urban Renewal Agency
Caroline Schreffler, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meeting of July 31, 1972.

Present

C. W. Hetherly, Chairman
Sonia Ashworth
David Barrow, Jr.
Bob Bobbitt
Royce Faulkner

Also Present

Jack Alexander, Asst. Dir. of
Planning
Al Baker, Zoning Administrator
Caroline Schreffler, Adm. Sec.

C14-72-080 Austex Development Company, Ltd.: Int. A, Int. 1st to GR
Tracts A, B, C and D of Cherry Creek Commercial II Subdivision
located at the intersection of Stassney Lane, Cherry Creek Drive
and Westgate Boulevard.

STAFF REPORT: A zoning hearing concerning subject property was held during June, 1972, at which time the Zoning Committee recommended denial of general retail zoning, but recommended local retail zoning for Tract D, one of the four tracts covered by this application. Subsequently, the full Planning Commission requested that the case be postponed until August 1972, to afford the neighborhood and the developer additional time to discuss proposed uses and possibly effect a compromise.

This property totaling 13.12 acres of land is located at the four corners of the intersection of Stassney Lane and Westgate Boulevard. These streets are both classified as major arterials. This acreage is surrounded by Interim "A",

C14-72-080 Austex Development Company, Ltd.--Contd.

Interim First Residence zoning and considerable development of recently completed single-family dwellings. Quite a number of single-family residences abut Tracts A and B. This intersection is approximately three-fourths of a mile from Manchaca Road into this residential area, and reflects approximately 100 acres of retail zoned property within the general area of this intersection. This retail-commercial zoning does not include the significant non-residential zoning and development along Ben White Boulevard, Westgate Boulevard and Highway 71.

The staff recommends that this case be denied, but recommends the following zoning:

Tract D -- "LR" Local Retail for the portion south of the drainage easement

Tract C -- "LR" Local Retail

Tract A -- "LR" Local Retail zoning for the northeastern most 145.18 feet to form a continuation of the west property line of Lot 11, Cherry Creek Drive, Phase 2, Section 3. The remainder of this tract is proposed for "BB" Residence zoning, subject to no two-story buildings to be located within fifty feet of "A" Residence property.

Tract B -- "O" Office zoning, subject to this tract being limited to the density applicable to "BB" Residence zoning.

It is also recommended that the Planning Commission consider a six-foot privacy fence for all tracts where abutting "A" Residence property. The staff makes this recommendation only reluctantly and primarily in light of the Commission's earlier recommendation that at least one corner be recommended for "LR" Local Retail zoning and the implication that the property is awkward in shape, compatibility with adjoining single-family development is not easily provided, and yet development under standard "A" Residence criteria is questionable. We can only recommend the above changes in zoning subject to judicious shielding and means of protection for the existing development in this area.

During the earlier hearing, the Commission also expressed an interest in the undeveloped property to the north, northeast, and east of this intersection. The staff's review of this other property reveals drainage problems and accompanying conditions which cause us to recommend that this property be developed as "A" Residence. The staff feels it would be appropriate for the Commission to voice its feelings about the surrounding undeveloped land. The staff would hope that this particular land be limited to the types of developments permitted under "A" Residence zoning.

TESTIMONY

WRITTEN COMMENT

Robert Kerr Wall: 5900 Burnhill Drive AGAINST

PERSONS APPEARING

Tom Curtis (representing applicant)	
Fancher B. & W. E. Larson: 5800 Gateshead Drive	AGAINST
Horace Mahan: 5806 Burrough Drive	AGAINST
P. Dennis Morken: 5901 Burrough Drive	AGAINST
Robert L. Singhaus: 5711 Cherry Creek Drive	AGAINST
James C. Varnell: 5911 Burrough Drive	AGAINST
Sharon & Tom Penick: 5803 Burnhill Drive	AGAINST
James & Virginia Ward: 5704 Cherry Creek Drive	AGAINST
Albino Gonzalez: 2703 Coatbridge Drive	AGAINST
Mrs. Jerold Pyle: 5805 Burrough Drive	AGAINST

CI4-72-080 Austex Development Company, Ltd.--Contd.

Mr. & Mrs. John Shockey: 5701 Stoutwood Circle	AGAINST
Walter J. Arellano: 5702 Cherry Creek Drive	AGAINST
Billie & Milton Kretzachmar: 5804 Burrough Drive	AGAINST
Don Post: 5807 Burrough Drive	AGAINST
James & Rosemary Hefley: 5803 Cherry Creek Drive	AGAINST
John J. Snyder: 5804 Burnhill Drive	AGAINST
Rosanne & James Kunschik: 5701 Cherry Creek Drive	AGAINST
Patricia Gross: 5802 Burrough Drive	AGAINST
Rita Morken: 5901 Burrough Drive	AGAINST
Lewis & Virginia McCarroll: 5800 Burrough Drive	AGAINST
Mrs. James O'Rourke: 5805 Burnhill Drive	AGAINST
Mr. & Mrs. Robert Wall: 5900 Burnhill Drive	AGAINST
Blanche Brown: 2610 Coatbridge Drive	AGAINST
Benjamin Reed, Jr.: 2608 Coatbridge Drive	AGAINST
Linda & Carlton Hanson: 5803 Burrough Drive	AGAINST
Sam R. Jones: 5908 Burnhill Drive	AGAINST
Jim Aldridge: 5903 Burnhill Drive	AGAINST
Richard Flowers: 2615 Coatbridge Drive	AGAINST
Mary & Sheldon Shereland: 5801 Burnhill Drive	AGAINST
R. D. Moore, Jr.: 2613 Coatbridge Drive	AGAINST
R. L. Gaddy: 5702 Burnhill Drive	AGAINST
Ruth Ann & James Ballard: 5704 Burnhill Drive	AGAINST
Paul Ondrias: 2611 Coatbridge Drive	AGAINST
Zita & William Hedgebeth: 5603 Stoutwood Circle	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Barrow stated that it is unfortunate that this property was not zoned before the residential development in the area took place, as the property owners feel that the future use of this property was misrepresented to them. Mr. Hetherly stated that local retail zoning should not be placed adjacent to single-family homes, which would be the case on Tracts A, B, and C. The members agreed that the location of these tracts makes them unsuitable for single-family residence use. It was suggested that careful planning of the area could incorporate commercial and low-density multi-family uses which would be compatible with the existing residential development. The Committee members concluded that this request should be referred to the full Commission.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

At the Commission meeting, the applicant's representative presented a letter setting out certain restrictions on this development. The Commission members reviewed the information and discussed various methods of limiting this development to provide protection for the residential development in the area, such as a special permit, restrictive covenants or limitation of density on multi-family development. Mr. Milstead stated that one-story office development would be more desirable than high-density apartments. The members discussed the possibility of requiring a site plan showing all details of the development, to be reviewed by the Planning Commission. While the site plan review would not be a public hearing, the members felt that the area residents should be present for this review. The members then

C14-72-080 Austex Development Company, Ltd.--Contd.

VOTED: To recommend that the request of the Austex Development Company, Ltd, for a change of zoning from Interim "A", Interim First Height and Area to "GR" General Retail, First Height and Area for property located at the intersection of Stassney Lane, Cherry Creek Drive and Westgate Boulevard be DENIED, but recommend "O" Office, First Height and Area be GRANTED on Tracts A and B, subject to a restrictive covenant limiting height of buildings to one-story, and apartment density to "BB" Residence, First Height and Area; To recommend that "LR" Local Retail, First Height and Area be GRANTED on Tracts C and that portion of Tract D south of the drainage easement, subject to a restrictive covenant on Tract C limiting height of buildings to one story, and apartment density to "BB" Residence, First Height and Area. A site plan is required on all four tracts before construction begins, to be approved by the Planning Commission, with notification to be sent to the residents of this area of the site plan review. A six-foot privacy fence is required for all tracts where abutting "A" Residence zoning.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-163 Robert N. Rader, DDS: A to O
4200 Bellvue Avenue
1200-1202 West 42nd Street

STAFF REPORT: This property totaling 6500 square feet is located at the northwest corner of Bellvue Avenue and West 42nd Street, both minor residential streets with fifty feet of right-of-way and thirty feet of surfaced width. Subject tract is part of an area on which an area study was presented to the Planning Commission in June, 1972. The review covered property bounded by West 42nd Street on the south, Medical Parkway on the west, West 45th Street on the north, and Lamar Boulevard on the east. The Planning Commission recommended that the internal lots, including those located on the north side of 42nd Street, remain "A" Residence. The same evening the Planning Commission, on a six to one vote, recommended denial of a change of zoning for the southwest corner of West 44th Street and Marathon Boulevard. This case has been withdrawn prior to City Council hearing.

The staff recommends that this case be denied. The requested zoning is inconsistent with the recent Planning Commission recommendation for this area in which the Commission stated that the area north of 42nd Street should be protected from further zoning encroachments.

TESTIMONY

WRITTEN COMMENT

Joseph Marek: Route 2, Caldwell, Texas

AGAINST

PERSONS APPEARING

None

C14-72-163 Robert N. Rader, DDS--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Barrow stated that due to the proximity of commercial and office zoning to this tract, the requested zoning is suitable. Mrs. Ashworth stated that the requested zoning will be the beginning of encroachment into the residential neighborhood. A majority of the Committee concluded that this request should be granted, subject to five feet of right-of-way on Bellvue Avenue and five feet of right-of-way on 42nd Street.

AYE: Messrs. Hetherly, Barrow and Bobbitt
 NAY: Mrs. Ashworth and Mr. Faulkner

At the Commission meeting, the members discussed the area study and the development in the immediate area. Mr. Hetherly pointed out that "C" Commercial zoning exists across the street from this tract, and Medical Parkway with predominantly "O" Office zoning is 25-30 feet from this tract. He stated that zoning should not extend further into this residential area. The Commission then

VOTED: To recommend that the request of Robert N. Rader, DDS, for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 4200 Bellvue Avenue and 1200-1202 West 42nd Street be GRANTED, subject to five feet of right-of-way on Bellvue Avenue and five feet of right-of-way on 42nd Street.

AYE: Messrs. Betts, Bobbitt, Hetherly and Stewart
 NAY: Messrs. Faulkner and Milstead. Mrs. Mather
 ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-164 John P. Fagan and Conway Taylor: A to B
 1801-1803 West 36th Street
 3504-3506 Lawton Avenue

STAFF REPORT: This property totaling 14,000 square feet is located at the southwest corner of Lawton Avenue and West 36th Street, both minor residential streets with thirty feet of surfaced width. Subject tract is developed with a modest but neat single-family home within a well-established neighborhood which has a majority of well-maintained homes. Many have been freshly painted. Across Lawton Avenue is a tract for which the Planning Commission has recommended denial for a change in zoning on two occasions this year. There is a property adjoining subject tract to the south which is the subject of a zoning case this month. The request is to change from "LR" Local Retail to "GR" General Retail on this tract which fronts on a major arterial street, 35th Street.

The staff recommends that this case be denied. Apartment zoning would be an intrusion into this "A" Residence area. Due to the design of this area, there would be no practical point of termination if rezoning should begin. The Planning Commission recently recommended denial of rezoning on a tract across the street from subject tract. Subject tract represents an even deeper encroachment if granted a change in zoning. The minor residential streets in this area are inadequate for servicing other than "A" Residence development.

C14-72-164 John P. Fagan and Conway Taylor--Contd.

TESTIMONY

WRITTEN COMMENT

Mrs. Jean B. Schreffer: 1812 1/2 W. 35th Street	FOR
Hawes Campbell: 1615 Westover Road	FOR
George E. Smith: 4906 Balcones Drive	FOR
H. R. Atinson: 4607 Elwood Road	FOR

PERSONS APPEARING

Conway Taylor (applicant)	
Hawes Campbell: 1615 Westover Road	FOR

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Bobbitt stated that this area is deteriorating; in addition, there is a need for apartments in this area. A majority of the members concluded that this request should be denied as an intrusion into a residential area.

AYE: Messrs. Hetherly, Barrow and Faulkner. Mrs. Ashworth
 NAY: Mr. Bobbitt

The members reviewed the information and discussed the area. Mr. Hetherly stated that while there was no opposition voiced to this zoning change, the homes one block away are well-maintained and should be protected from intrusion. Mr. Bobbitt stated that the houses across the street from this tract on Lawton Avenue would not be purchased for "A" Residence use. The Commission then

VOTED: To recommend that the request of John P. Fagan and Conway Taylor for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1801-1803 West 36th Street and 3504-3506 Lawton Avenue be DENIED.

AYE: Messrs. Milstead, Betts, Faulkner, Hetherly and Stewart. Mrs. Mather
 NAY: Mr. Bobbitt
 ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-165 John H. Brown, Jr.: A to O
 1507 West North Loop

STAFF REPORT: This property consists of 12,695 square feet and is located on North Loop Boulevard, a major arterial planned for eighty feet of right-of-way. The property across North Loop Boulevard is zoned "LR" Local Retail. Subject tract has "O" Office zoning adjoining to the west and "B" Residence apartment zoning to the east.

The staff recommends that this case be granted, subject to a short-form subdivision combining all parcels into one, and dedicating fifteen feet of right-of-way on North Loop Boulevard. The requested zoning is compatible with existing zoning and use in this particular block. The subdivision is required as the tract is less than three acres in size and is not completely identified as a lot within a subdivision.

C14-72-165 John H. Brown, Jr.--Contd.

TESTIMONY

WRITTEN COMMENT

Don J. Jackson: 3810 Medical Parkway

FOR

PERSONS APPEARING

Conway Taylor (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as suitable use for this tract, subject to subdivision and fifteen feet of right-of-way on West North Loop.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John H. Brown, Jr. for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1507 West North Loop be GRANTED, subject to subdivision and fifteen feet of right-of-way on West North Loop.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-166 Johnny M. Lopez: E to C-2
515 Pedernales Street
2501 East 6th Street

STAFF REPORT: This property is located on the southeast corner of East 6th Street and Pedernales Street. The applicant is requesting zoning for the purpose of selling alcoholic beverages within an existing building which has approximately 3,900 square feet of space. Subject tract is in the midst of an area zoned for industrial and heavy industrial uses, with a complex of railroad tracks and spurs as well as a significant amount of warehousing activity. Even though the area to the north and east is zoned "D" Industrial, the development is primarily single-family with a few scattered duplexes, several cafes, and grocery stores. A case of "C-2" Commercial zoning for the northeast corner of East 6th and Pedernales Streets was denied by the Planning Commission in 1969 as an intrusion into a block which was described as primarily a single-family area although zoned for industrial purposes. A number of property owners objected to the location of a tavern or package store on this tract.

The staff recommends that this case be denied. The requested zoning is inconsistent with the Planning Commission's denial of "C-2" Commercial zoning in 1969 on a tract directly across the street.

TESTIMONY

WRITTEN COMMENT

None

C14-72-166 Johnny M. Lopez--Contd.

PERSONS APPEARING

Jose Mercado (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as a suitable use for this area.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Johnny M. Lopez for a change of zoning from "E" Industrial, Third Height and Area to "C-2" Commercial, Third Height and Area for property located at 515 Pedernales Street and 2501 East 6th Street be GRANTED.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-167 Thalbert R. Thomas: LR to GR
3500-3502 Lawton Avenue
1800-1802 West 35th Street

STAFF REPORT: This tract totaling 14,000 square feet is located at the northwest corner of West 35th Street, a major arterial street, and Lawton Avenue, a minor residential street. Subject tract is developed with a small, recently completed shopping center. To the east there is a shopping center zoned "C" Commercial which consists of "LR" Local Retail and "GR" General Retail type uses. To the west there is "B" Residence zoning developed with apartments and "LR" Local Retail zoning. Across West 35th Street there is "O" Office and "LR" Local Retail zoning developed with apartments and small local retail type operations. To the north there is an older well-maintained single-family area in which there are two pending zoning cases: one on the east side of Lawton Avenue for retail zoning which was recommended for denial by the Planning Commission in July, and the other on the southwest corner of West 36th Street and Lawton Avenue on which apartment zoning is requested this month.

The staff reluctantly recommends that this case be granted, subject to five feet of right-of-way on Lawton Avenue and five feet of right-of-way on West 35th Street. The staff would normally recommend that this tract remain "LR" Local Retail. However, the many more permissive uses in "GR" General Retail such as automotive garages, billboards, and carwash operations have been precluded as the shopping center on this tract does not appear to be designed to accommodate these operations.

TESTIMONY

WRITTEN COMMENT

H. R. Atinson: 4607 Elwood Road
Mrs. Jan B. Schieffer: 1812 1/2 West 35th Street

FOR
AGAINST

PERSONS APPEARING

C. E. Bryan (representing applicant)

C14-72-167 Thalbert R. Thomas--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as a suitable use for this tract, subject to five feet of right-of-way on Lawton Avenue and five feet of right-of-way on West 35th Street.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Thalbert R. Thomas for a change of zoning from "LR" Local Retail, First Height and Area to "GR" General Retail, First Height and Area for property located at 3500-3502 Lawton Avenue and 1800-1802 West 35th Street be GRANTED, subject to five feet of right-of-way on Lawton Avenue and five feet of right-of-way on West 35th Street.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-168 Mr. and Mrs. Doyle Moore: LR (Tract 1) and A (Tract 2) to MH
1812-1922 Dalton Lane (Tract 1)
1813-1923 U.S. Highway 183 (Tract 1)
1901-1921 Dalton Lane and 8100-8102 Riverside Drive (Tract 2)
8104-8106 Riverside Drive (Rear) and 8108-8118 Riverside Drive (Tract 2)
1900-1914 State Highway 29 (Tract 2)

STAFF REPORT: This application covers two tracts of land with a total area of 4.13 acres. Tract 1, which fronts on U.S. Hwy 183 and on the west side of Dalton Lane, is platted for single-family lots. Tract 2, which fronts on East Riverside Drive and on the east side of Dalton Lane, is a nonconforming mobile home park. These tracts are located within a confined area with zoning ranging widely from "A" Residence to "C" Commercial. This area is surrounded by major arterials and highways. Bergstrom Field is located to the east and south.

The staff recommends that this case be granted, subject to ten feet of right-of-way on Dalton Lane. The staff has no objection to the change as the property is surrounded by major arterials, highways, and Bergstrom Air Force Base which limits the area for private development. Normally we would suggest that Tract 1, proposed for a mobile home subdivision, be at least 2.33 acres (20 lots) to agree with the minimum requirement for a mobile home park. However, we suggest that this usual requirement be waived in this case as the design constraints of this area do not indicate a bad precedent for the surrounding area.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Doyle Moore (applicant)

C14-72-168 Mr. and Mrs. Doyle Moore--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to ten feet of right-of-way on the east side of Dalton Lane for approximately 150 feet.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Mr. and Mrs. Doyle Moore for a change of zoning from "LR" Local Retail, First Height and Area, (Tract 1), and "A" Residence, First Height and Area (Tract 2), to "MH" Mobil Home, First Height and Area on property located at 1812-1922 Dalton Lane and 1813-1923 U. S. Highway 183 (Tract 1), and 1901-1921 Dalton Lane; 8100-8102 Riverside Drive; rear of 8104-8106 Riverside Drive; 8108-8118 Riverside Drive; and 1900-1914 State Highway 29 (Tract 2), be GRANTED, subject to ten feet of right-of-way on the east side of Dalton Lane for approximately 150 feet.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly, Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-169 M. H. Flournoy: Int. A, Int. 1st to C
 Rear of 5601-5615 South Congress Avenue

STAFF REPORT: This property totaling 1.33 acres is located at the rear of 5601-5615 South Congress Avenue, a major arterial street. Subject tract is a part of the adjacent property to the west which fronts on South Congress Avenue and which was rezoned "C" Commercial during May of this year. Most of the land along both sides of South Congress Avenue to the north is developed with nonconforming uses of an intense commercial character. Land to the south, immediate north, and east is still outside the city limits. Stassney Lane is planned to extend from South Congress Avenue to I.H. 35 north of subject tract. At this time it has not been determined to what extent the subject tract will side on Stassney Lane.

The staff recommends that this case be denied, but recommends that "C" Commercial, First Height and Area be granted on the westerly 175 feet, subject to a subdivision combining this tract with the adjoining property to the west and providing for the future right-of-way on Stassney Lane, as these tracts may be affected. The staff feels that the limited depth recommended is more appropriate in view of the amount of assured access of this property to a major arterial. Including the property fronting on South Congress Avenue, the total depth as recommended by the staff would be 325 feet. It is also felt that the creek to the east would be a natural buffer for the existing residences located to the east of subject tract.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

M. H. Flournoy (applicant)

C14-72-169 M. H. Flourney--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and discussed the uses in this area. They concluded that this request should be granted, as a proper use, subject to subdivision and provision for right-of-way for the future extension of Stassney Lane as these tracts may be affected.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of M. H. Flourney for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area for property located at the rear of 5601-5615 South Congress Avenue be GRANTED, subject to subdivision and provision for right-of-way for the future extension of Stassney Lane as these tracts may be affected.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-170 Mrs. T. F. Keele: A to BB
603 Brentwood Street

STAFF REPORT: This property totaling 9,657 square feet is located on a minor residential street with fifty feet of right-of-way and thirty feet of surfacing. Subject tract is in the approximate center of an "A" Residence zoned area. The homes on Brentwood Street are in excellent condition, with many being freshly painted. The case of "BB" Residence zoning to the north, located on the southeast corner of Canon Street and Guadalupe Street, was granted in 1971 in recognition of the "C" Commercial zoning and activity located diagonally from this tract.

The staff recommends that his case be denied. Apartment zoning would be an intrusion into this well-defined and very nice "A" Residence neighborhood. Brentwood Street is inadequate for any zoning more intense than single-family and duplex development. A denial of rezoning in this area would be a significant incentive for the property owners to continue their excellent maintenance of these properties.

TESTIMONY

WRITTEN COMMENT

Robert T. Stigall: 601 Brentwood Street	AGAINST
Carroll Berggen: 604 Brentwood Street	AGAINST
John H. Holleyfield: 1002 Hollybluff Street	AGAINST
Mrs. C. A. Burrows: 505 Brentwood Street	AGAINST
Mr. & Mrs. C. H. Ballard: 602 Irma Drive	AGAINST
Mr. & Mrs. C. O. Brady: 303 Irma Drive	AGAINST
William O. Nelson: 502 Irma Drive	AGAINST
Max W. Dunn: 610 Brentwood Street	AGAINST
Homer Hutson: 600 Brentwood Street	AGAINST
F. Kemp Dixon: 605 Brentwood Street	AGAINST
Lola Vie Richardson: 612 Brentwood Street	AGAINST
Mrs. Jenny Morgan Chapman: 604 Irma Dirve	AGAINST

C14-72-170 Mrs. T. F. Keele--Contd.

PERSONS APPEARING

E. H. Smartt (representing applicant)
 R. L. and Gladys Stigall: 601 Brentwood Street AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded that this request should be denied as an intrusion into a single-family residential neighborhood.

AYE: Messrs. Hetherly, Barrow and Faulkner. Mrs. Ashworth
 ABSTAIN: Mr. Bobbitt

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Mrs. T. F. Keele for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 603 Brentwood Street be DENIED.

AYE: Messrs. Milstead, Betts, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSTAIN: Mr. Bobbitt
 ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-171 Bessie Maddux and Belva Miller: A to B
 1301-1303 West 39 1/2 Street
 3906-3908 Bailey Lane

STAFF REPORT: This property totaling 13,750 square feet is located at the southwest corner of West 39 1/2 Street and Bailey Lane. Both streets are classified as minor residential streets with basically fifty feet of right-of-way and thirty feet of surfaced width. The area to the west of subject property has been in transition to apartment zoning and development, with the earliest changes beginning with the properties fronting or siding on Shoal Creek Boulevard. The Planning Commission has recently been recommending "B" Residence zoning for those lots fronting on West 39 1/2 Street. However, the cases recommended have been for properties closer to Shoal Creek Boulevard.

The staff recommends that this case be denied. The staff feels that the requested zoning would be an intrusion into an "A" Residence area. There are a number of newer duplexes and dwellings in the area as compared with those toward the west end of 39 1/2 Street. The staff feels that the property owners in this block on Tonkawa Trail and on Bailey Lane, to the south, would be encouraged to continue the neat appearances of their homes if this zoning change is denied.

TESTIMONY

WRITTEN COMMENT

Martin V. Valdez: 3902 Bailey Lane FOR
 Lena L. Pickle: 3904 Bailey Lane FOR

PERSONS APPEARING

None

C14-72-171 Bessie Maddux and Belva Miller--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied, as an intrusion into a residential area.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Bessie Maddux and Belva Miller for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1301-1303 West 39 1/2 Street and 3906-3908 Bailey Lane be DENIED.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-172 Leonard A. Schlueter: A to B
5514 Roosevelt Avenue

STAFF REPORT: This property consists of 14,720 square feet of land. This block of Roosevelt Avenue, which dead ends at a bowling alley site to the north, is significantly developed with apartments, including the tract at the northeast corner zoned "C" Commercial. Adjoining property to the west on Woodrow Avenue is zoned "B" Residence.

The staff reluctantly recommends that this case be granted, subject to five feet of right-of-way on Roosevelt Avenue. Roosevelt Avenue is a dead end street and the staff is concerned with the generation of more traffic, but feels that it cannot ignore the apartment zoning and development which has been taking place.

TESTIMONY

WRITTEN COMMENT

Lee R. Kern: 5502 Roosevelt Avenue

AGAINST

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to five feet of right-of-way on Roosevelt Avenue

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

C14-72-172 Leonard A. Schueter--Contd.

VOTED: To recommend that the request of Leonard A. Schlueter for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 5514 Roosevelt Avenue be GRANTED, subject to five feet of right-of-way on Roosevelt Avenue.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-173 Joe C. Saldana: A to GR
501 West Oltorf Street
2400 Durwood Street

STAFF REPORT: This property consisting of 7,500 square feet is located at 501 West Oltorf Street. Oltorf Street is planned to go to eighty feet of right-of-way and has forty feet of surfacing. The widest surfacing planned is forty-four feet. Durwood Street is a minor residential street with fifty feet of right-of-way. The subject tract is located one block from the intersection of Oltorf Street and South First Street, where the four corners are zoned "C" Commercial and developed with "LR" Local Retail and "GR" General Retail type uses. The property adjoining to the west is zoned "O" Office and the property immediately across Oltorf Street was recommended for "O" Office zoning last month. The property to the east is zoned and developed "A" Residence. Gillis Park adjoins subject tract to the south. The northwest corner of West Oltorf Street and Wilson Street was denied "LR" Local Retail zoning during 1969, with the Planning Commission stating that "B" Residence zoning was appropriate and retail zoning was too intense.

The staff recommends that this case be denied, but recommends that "O" Office, First Height and Area be granted, subject to a subdivision combining the two 25-foot lots into one and dedicating ten feet of right-of-way on Oltorf Street and five feet of right-of-way on Durwood Street. The staff feels that "O" Office zoning should be the most permissive zoning this far east of South First Street and that Durwood Street should be the point of termination of rezoning. There are modest to nice single-family developments along Oltorf Street to the east, which are deserving of protection and buffering. The staff considers "O" Office zoning to be an extension of the office zoning immediately to the west and of the pending case directly across Oltorf Street. The staff prefers to recommend retail type zoning at the intersection of two major arterial streets and to preclude strip zoning.

TESTIMONY

WRITTEN COMMENT

Conrad Wisian, Jr.: 7708 Forestwood Drive	FOR
Mr. & Mrs. Cepeda: 2501 Durwood Street	FOR
Carl T. Widen: 305 West 13th Street	FOR

PERSONS APPEARING

Joe Saldana (applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be postponed as requested by the applicant.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

C14-72-173 Joe C. Saldana--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Joe C. Saldana for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 501 West Oltorf Street and 2400 Durwood Street be POSTPONED.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-174 G. J. Chissell: A to B
4601-4603 Santa Ana Street
1119-1125 Springdale Road

STAFF REPORT: This property consisting of 22,860 square feet is located at the southeast corner of Santa Ana Street and Springdale Road. Santa Ana Street is a minor residential Street with fifty feet of right-of-way and thirty feet of surfaced width. Springdale Road is a major arterial street with sixty feet of right-of-way and twenty-two to thirty feet of surfaced width. Subject tract is located in an older single-family area across Springdale Road from Givens Park. This area east of Springdale Road is heavily wooded and substantial new single-family dwellings are under construction on streets such as Mason Avenue, Dolores Avenue, and Star Light Terrace. There are few zoning encroachments in this area east of Springdale Road and south of East 12th Street. There is "B" Residence zoning to the north on the triangular shaped block bounded by East 12th Street, Webberville Road and Springdale Road. However, this block is developed as "A" Residence with the exception of the cemetery along Webberville Road.

The staff recommends that this case be denied. Apartment development would be an intrusion into this single-family neighborhood, especially in light of the new "A" Residence development taking place. Also, the staff feels that the City Park can best serve its purpose by being surrounded by single-family dwellings and duplexes where children are in greater numbers. An appropriate development of apartments should logically occur northward where there is greater circulation and more access to major arterials. Both Santa Ana Street and Springdale Road are presently inadequate for more intense zoning, particularly Santa Ana Street for which no street widening is planned. It is noted that subject property could be platted into three duplex lots.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be denied as an intrusion into a single-family residential neighborhood.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

C14-72-174 G. J. Chissell--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of G. J. Chissell for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 4601-4603 Santa Ana Street and 1119-1125 Springdale Road be DENIED.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-175 William Mark Day: GR, 1st to GR 5th
3000 South Interregional Highway 35
1413-1433 St. Edwards Drive

STAFF REPORT: This property totaling 3.08 acres fronts on the west side of South Interregional Highway 35. There is "GR" General Retail zoning to the north and "BB" Residence, Second Height and Area zoning to the west, on which a special permit has been approved for a 166-unit apartment dwelling group. Subject tract is part of an overall tract zoned "GR" General Retail to a depth of 450 feet and the applicant is requesting Fifth Height and Area on 250 feet.

The staff recommends that this case be granted. There is no objection to the requested zoning as it is consistent with existing developments and this tract fronts on an interregional highway.

TESTIMONY

WRITTEN COMMENT
None

PERSONS APPEARING
None

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as in conformance with this area.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of William Mark Day for a change of zoning from "GR" General Retail, First Height and Area to "GR" General Retail, Fifth Height and Area for property located at 3000 South Interregional Highway 35 and 1413-1433 St. Edwards Drive be GRANTED.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-176 Jack T. Brown: C to C-2
3214 East 19th Street

STAFF REPORT: This application is on 1,519 square feet of a tract totaling one acre located at the northwest corner of East 19th Street and Tillery Street. East 19th Street is a major arterial street. Subject tract is part of a large vacant lot. There is "LR" Local Retail zoning and a service station to the south. There is an "A" Residence area to the north. Adjoining to the west is a small shopping center developed under "C" Commercial zoning.

The staff recommends that this case be denied. The requested zoning is inappropriate due to the neighborhood development to the north and east. The staff would probably recommend "C-2" Commercial zoning if it were within an existing, well-defined shopping center.

TESTIMONY

WRITTEN COMMENT
None

PERSONS APPEARING
John Lewis (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as a suitable use for this tract.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Jack T. Brown for a change of zoning from "C" Commercial, First Height and Area to "C-2" Commercial, First Height and Area for property located at 3214 East 19th Street be GRANTED.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-177 Frien E. Gatliff: Int. A, Int. 1st to C
9082-9126 Old U.S. Highway 183

STAFF REPORT: This property totaling two acres is located approximately 100 feet to the east of the southeast corner of Mesa Drive and Old U.S. Highway 183. Last month, both south corners of Mesa Drive and Old U.S. Highway 183 were recommended by the Planning Commission for "GR" General Retail zoning in lieu of the "C" Commercial zoning requested. Subject tract is part of a section of land that the Planning Commission stated should also be no more permissive than "GR" General Retail. This tract abuts single-family lots to the south of Silverarrow Circle.

The staff recommends that this case be denied, but recommends that "GR" General Retail be granted on all but the south twenty-five feet which would remain Interim "A" Residence. It is suggested also that the Commission consider a six-foot privacy fence along the south boundary line separating this tract from the subdivision to the south. It is felt that "GR" General Retail conforms more to the plans

Cl4-72-177 Frien E. Gatliff--Contd.

for this area than "C" Commercial, which is designed for commercial recreation, wholesale, and intensive commercial use. The Planning Commission recently recommended "GR" General Retail zoning in lieu of "C" Commercial zoning for property on the south side of Old U.S. Highway 183. The twenty-five foot section of Interim "A" Residence zoning with a six-foot privacy fence is recommended as a buffer for the single-family area to the south.

TESTIMONY

WRITTEN COMMENT

Frien & Suzie Gatliff (applicant)	
Griffin Construction Company	FOR
Charles E. Williams: 2202 Devenne	FOR
George Cloud & O. Williams: 9226 Jollyville Road	FOR
John R. Dorsett: 9400 Research Boulevard	FOR
Roberts Associates: 1117 West 42nd Street	FOR
Elmer & Maryann Griffin: 8824 Silverarrow Circle	FOR
William Kastner: 8827 Silverarrow Circle	AGAINST
Petition bearing 25 signatures	AGAINST

PERSONS APPEARING

Glenn Cortez (representing applicant)	
Frien & Suzie Gatliff (applicant)	
Mr. & Mrs. Louis W. Lee: 5705 Delwood Drive	FOR
Mrs. Elmer W. Griffin: 8824 Silverarrow Circle	FOR
Lonnie W. Griffin: Rt. 4, Box 288 AB	FOR
Nestor M. Hensler: 8822 Silverarrow Circle	AGAINST
Donald & Maxine Beyer: 8816 Silverarrow Circle	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and agreed that "C" Commercial usage would be too intense for this tract. They concluded that this property should be zoned "GR" General Retail, except for a 25-foot strip along the south boundary, to be zoned "B" Residence, and subject to a six-foot privacy fence along the south boundary.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Frien E. Gatliff for a change of zoning from Interim "A", Interim First Height and Area to "C" Commercial, First Height and Area for property located at 9082-9126 Old U. S. Highway 183 be DENIED, but recommend that "GR", General Retail, First Height and Area be GRANTED, except for a twenty-five foot strip along the south boundary, on which it is recommended that "B" Residence, First Height and Area be GRANTED. This recommendation is subject to a six-foot privacy fence along the south boundary.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
 Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-178 Margaret E. Hays, et al: A, 1st to B, 2nd
1502-1512 Wheless Lane

STAFF REPORT: This property totaling 2.12 acres is located at 1502-1512 Wheless Lane. Wheless Lane is a minor collector street with a varying right-of-way and only thirty feet of surfaced width. The subject property consists of three deep lots on the north side of Wheless Lane. Across Wheless Lane are extremely nice, single-family homes completed in recent years. Photographs submitted by the staff reflect the high quality of maintenance of these homes. There is an exceptionally nice home adjoining to the east of subject property. There are apartments located two tracts to the east which were developed under "BB" Residence zoning. This tract was heard as part of a 1968 case connected with property fronting on Berkman Drive. "B" Residence, Second Height and Area was requested on the entire tract. The Planning Commission recommended "BB" Residence zoning on Wheless Lane and "B" Residence, First Height and Area for the portion fronting on Berkman Drive. In 1971, the tract to the west was recommended by the Planning Commission to remain "BB" Residence rather than be rezoned "B" Residence, Second Height and Area. The Commission stated that "BB" Residence was appropriate and "B" Residence was too intense for the area with single-family homes directly across the street and the narrow surfaced streets. The case was subsequently granted by the City Council. This property represents the only second height and area on Wheless Lane.

The staff recommends that this case be denied. This would be an intrusion into an excellently maintained area of single-family homes. If no more rezoning is granted, premature deterioration of the nice, single-family homes on the south side of Wheless Lane may be prevented. Wheless Lane is a minor residential street and is inadequate for more intense zoning.

TESTIMONY

WRITTEN COMMENT

Molly F. Glander: 1600 Wheless Lane	FOR
Mrs. H. V. Hays: 1600 Wheless Lane	FOR
Raymond Raisz: 1516 Wheless Lane	FOR
Ruby H. Tarter	AGAINST
Mrs. George Olander	AGAINST

PERSONS APPEARING

Glenn Cortez (representing applicant)	
D. W. Morris (representing applicant)	
Blossom Podolnick: 1200 Gaston Avenue	FOR
Dr. Mark Kleiman: 1510 West 34th Street	FOR

COMMENTS AND ACTION BY THE COMMITTEE

The members discussed the existing uses in this area. Mrs. Ashworth stated that "BB" Residence, First Height and Area zoning is proper for this tract. A majority of the Committee concluded that the requested zoning should be denied, but recommend that "B" Residence, First Height and Area be granted, subject to subdivision and ten feet of right-of-way on Wheless Lane.

AYE: Messrs. Barrow, Bobbitt and Faulkner
 NAY: Mrs. Ashworth
 ABSTAIN: Mr. Hetherly

C14-72-178 Margaret E. Hays--Contd.

The Commission members reviewed the information and

VOTED: To recommend that the request of Margaret E. Hays, et al, for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area on property located at 1502-1512 Wheless Lane be DENIED, but recommend that "B" Residence, First Height and Area be GRANTED, subject to subdivision and ten feet of right-of-way on Wheless Lane.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner and Stewart. Mrs. Mather
 ABSTAIN: Mr. Hetherly
 ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-180 Southwind Mobile Home Estates & Sales, Inc., et al: A to MH
 104-112 Walnut Drive
 8504-8506 Georgian Drive
 100-500 San Jose Street

STAFF REPORT: This property consists of forty tracts located on San Jose Street, Walnut Drive and Georgian Drive. Thirty-nine of these tracts are platted as standard size, single-family lots. Subject property, with the exception of one tract on Georgian Drive, is a well-defined area developed with mobile homes. The area is well maintained and is the type of mobile home subdivision which epitomizes the spirit of the mobile home ordinance. The land to the north, west and partly south of subject property is zoned "A" Residence and is sparsely developed. Most of the land to the west which fronts on Lamar Boulevard is zoned "C" Commercial. The land to the immediate west and two tracts along the south boundary of subject property are included in a zoning case to be heard this month.

The staff recommends that this case be denied, but recommends that "MH" Mobile Home be granted on all tracts, except for the lot fronting on Georgian Drive, subject to the .63 acre tract being identified by short-form subdivision. This property, as recommended by the staff, meets all the pertinent criteria for a mobile home subdivision. It is suggested that the lot on Georgian Drive be removed as it is flanked by single-family residences and this tract would be considered a nonconforming use if changed to mobile home zoning. This property more than meets the Planning Commission's recommendation that a mobile home subdivision be twenty or more continuous lots.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Curtis Goodman (applicant)	
Mr. & Mrs. Louis W. Lee (representing applicant)	
Jack & Callie Currey (representing applicant)	
W. M. & Chris Davis: 203 San Jose Street	FOR
J. C. Goodman: 500 San Jose Street	FOR
Robert E. Ross: 517 San Jose Street	FOR
David & Stephanie McBride: 512 San Jose Street	FOR
Jan & Ray Collins: 502 San Jose Street	FOR

C14-72-180 Southwind Mobile Home Estates & Sales, Inc.--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information. They were of the opinion that this use is suitable for this location, and that the lot fronting on Georgian Drive should be included in this change. They concluded that this request should be granted, subject to subdivision on the 0.63-acre tract.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Southwind Mobile Home Estates & Sales, Inc., et al, for a change of zoning from "A" Residence, First Height and Area, to "MH" Mobile Home, First Height and Area for property located at 104-112 Walnut Drive, 8504-8506 Georgian Drive and 100-500 San Jose Street be GRANTED, subject to subdivision on the 0.63-acre tract.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-181 Douglas Duwe: A, 1st to C, 6th (Tract 1), B, 1st (Tract 2) and BB, 1st,
8515-8525 North Lamar Boulevard (Tract 3)
200-500 San Jose Street

STAFF REPORT: This property consists of three tracts, one fronting on Lamar Boulevard and two others which lie between Lamar Boulevard and Georgian Drive. There is a case of "MH" Mobile Home zoning to be heard this month on property immediately east of Tract 1, and west of Tracts 2 and 3. Tract 1, for which "C" Commercial, Sixth Height and Area is requested, consists of 2.01 acres with over 150 feet of frontage on Lamar Boulevard. A single-family area fully developed with an excellent mobile home subdivision adjoins subject tract to the east. There is "C" Commercial, Sixth Height and Area zoning to the north and south of this tract. Tract 2 consists of 2.262 acres; on which "B" Residence zoning is requested. This tract adjoins commercial zoning to the west and the above-mentioned mobile home development to the north, and "A" Residence zoning to the east. To the south is "B" Residence zoning to be developed as a Federal Turn-Key duplex project with a density of 9.4 units per acre. Tract 3, totaling 1.466 acres, is to the immediate west of Tract 2 and has the same mobile home development to the north and east. The above-mentioned Federal Turn-Key project is to the south of this tract also. The plan for this area calls for Guadalupe Street to extend through Tracts 2 and 3 to connect with Guadalupe Street to the north and through the existing mobile home area.

The staff recommends that this case be denied, but recommends that "C" Commercial, Sixth Height and Area be granted for Tract 1, except for the east twenty-five feet which is to remain "A" Residence, subject to a subdivision identifying this tract and a six-foot privacy fence where adjoining residential or mobile home property to the east. The staff feels that apartment zoning is inappropriate as it would fall between the mobile home development with less than eight units per acre, and the duplex project to the south with only 9.4 units per acre. The proposed zoning would generate a significant increase in traffic through these low-density areas and create incompatibility.

The staff reported that this case has been requested to be postponed.

C14-72-181 Douglas Duwe--Contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The Committee recommended that this case be postponed, as requested by the applicant.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Douglas Duwe for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, Sixth Height and Area (Tract 1), "B" Residence, First Height and Area (Tract 2), and "BB" Residence, First Height and Area (Tract 3), for property located at 8815-8525 North Lamar Boulevard and the rear of 200-500 San Jose Street be POSTPONED.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-182 Howard Brunson: A, 1st to C, 3rd (Tract 1) and C, 2nd (Tract 2)
Northeast corner of Ben White Boulevard and South Lamar Boulevard

STAFF REPORT: This property totaling approximately twenty-four acres is located at the northeast corner of Ben White Boulevard and South Lamar Boulevard (Fredericksburg Road). This major intersection is planned for retail-commercial activities although a substantial part is still zoned "A" Residence and the part to the west of Fredericksburg Road is outside the City limits. There is "C" Commercial zoning adjoining to the north which has been developed with a K-Mart discount store. Further to the north is the Porter Junior High School site. South across Ben White Boulevard is "C" Commercial zoning with predominately "LR" Local Retail and "GR" General Retail uses. To the east is a single-family neighborhood which does not pose a compatibility problem at this time, as there is a 200-foot strip of "A" Residence zoned land between Tract 2 and this single-family area.

The staff recommends that this case be granted. There is no objection to the requested zoning as these tracts front on a regional-type arterial intersection and have good access for the density which could be developed.

TESTIMONY

WRITTEN COMMENT

E. E. Epperson: 2403 West Ben White Boulevard FOR

PERSONS APPEARING

None

C14-72-182 Howard Brunson--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and concluded that this request should be granted, as a compatible use for this area.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Howard Bronson for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, Third Height and Area (Tract 1), and "C" Commercial, Second Height and Area (Tract 2) for property located at the northeast corner of Ben White Boulevard and South Lamar Boulevard be GRANTED.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
 Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C14-72-183 Barry S. Gillingwater, et al: A to LR
 2001-2003 Matthews Lane
 7200-7206 Manchaca Road

STAFF REPORT: This land was the subject of a zoning hearing in December 1971, at which time "LR" Local Retail zoning was requested. The Planning Commission recommended denial and the case was withdrawn prior to the scheduled City Council hearing. Subject tract totaling 23,300 square feet is located at the southwest corner of Manchaca Road and Matthews Lane. Manchaca Road is a major arterial street with eighty feet of right-of-way. Matthews Lane is a minor residential street with fifty feet of right-of-way, no curb or gutter, and no more than thirty feet of surfaced width. The area is predominately developed with residential characteristics. To the north, the west and east of the proposed site there are single-family dwellings. Several new homes have been built in this immediate area as have two or three new duplexes on Matthews Lane to the west, adjoining subject tract.

Four cases of retail zoning in this area have been granted recently. These locations are: 1) 2.94 acres at northwest corner of Manchaca Road and William Cannon Drive. Both streets are major arterials and the staff recommended the case be granted. 2) 2.74 acres at the southwest corner of Manchaca Road and William Cannon Drive. Both streets are major arterials. Again the staff recommended request be granted. 3) 19.949 acres at the southwest corner of Manchaca Road and Berkeley Avenue. Berkeley Avenue is a minor collector street. Staff recommended against this request as Berkeley Avenue is not classified as a major arterial and it was felt that a precedent for strip zoning would be set. The Planning Commission granted the request subject to buffer zones for residential property to the west and south. 4) 9.95 acres at the northeast corner of Manchaca Road and Matthews Lane. Matthews Lane is a minor residential street surfaced to a thirty-foot width. The staff recommended that this request for "GR" General Retail zoning be denied, due to lack of major arterial intersection at this site and its intrusion into new and expanding residential areas to the north, west, and east. The Zoning Committee and Planning Commission recommended granting "GR" General Retail on 350 feet rather than extending the zoning to Matthews Lane. The City Council granted "GR" General Retail on the entire section.

C14-72-183 Barry S. Gillingwater, et al--Contd.

The staff recommends that this case be denied. This would be an intrusion into an existing and well-maintained residential neighborhood with new single-family and duplex development. The single-family dwellings across Matthews Lane would face a commercial use if this zoning is granted. Matthews Lane is a minor residential street designed for low-density use and should be limited to servicing "A" Residence traffic. The four tracts in this area approved for retail zoning contain 36 acres. This acreage is considered more than adequate to service the needs of this area. With the new residential construction recently completed on Matthews Lane, this area is even more worthy of protection from zoning encroachments than six or seven months ago when the Planning Commission recommended denial of a change in zoning. The staff prefers to recommend retail-commercial zoning when at the intersection of two major arterial streets, and feels that duplexes would be appropriate on this corner lot. If a zoning change is recommended, five feet of right-of-way is required on Matthews Lane, and it is suggested that a six-foot privacy fence be required along the west boundary line.

TESTIMONY

WRITTEN COMMENT

Daniel G. Smith: 2009 Matthews Lane	AGAINST
Bill T. Turner: 2008 Matthews Lane	AGAINST
Beatrice F. Nolen	AGAINST

PERSONS APPEARING

Martin Boozer (representing applicant)	
Don Smith: 2009 Matthews Lane	AGAINST
Bill Turner: 2008 Matthews Lane	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information. Mr. Barrow stated that Manchaca Road is a major street, and the tract under consideration is not appropriate for residential use. He feels that the tract across the street will not be used for residential use, and that restriction of access from Matthews Lane is not needed. Mrs. Ashworth stated that the requested zoning will be the first intrusion into a residential area. A majority of the Committee concluded that this request should be granted, subject to five feet of right-of-way on Matthews Lane and a six-foot privacy fence along the west boundary line of the property.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner.
 NAY: Mrs. Ashworth

At the Commission meeting, Mrs. Mather stated that this change in zoning would have an adverse effect on the residence across the street on Matthews Lane. The Commission then

VOTED: To recommend that the request of Barry S. Gillingwater, et al, for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2001-2003 Matthews Lane and 7200-7206 Manchaca Road be GRANTED, subject to five feet of right-of-way on Matthews Lane and a six-foot privacy fence along the west boundary line.

AYE: Messrs. Betts, Bobbitt, Faulkner, Hetherly and Stewart
 NAY: Mrs. Mather and Mr. Milstead
 ABSENT: Mrs. Ashworth and Mr. Barrow

PLANNED UNIT DEVELOPMENT

C814-72-07 Vara Corporation: Summerlawn
Highway 290 and the M.K. & T. Railroad

STAFF REPORT: The tract contains 60.28 acres of land, with the proposed development consisting of 396 units with common green areas, a recreational area, swimming pools and playgrounds. This tract was previously submitted as Summerlawn Subdivision in 1971. At that time the Commission requested special study of the subdivision, as they were concerned about potential flooding which might be caused by the filling in of Walnut Creek.

The proposed Planned Unit Development has a density of 6.4 units per acre; however, of the approximately sixty acres of land in this tract, thirty-eight acres are located within the flood plain, leaving the twenty-two acres developed with eighteen units per acre. It may be more appropriate to limit the development to seven to ten units per net acre, which would allow 154 to 220 units. This would also help ease the access problem of having only one entrance to the tract, by reducing the estimated traffic generated from 2400 to 1300 trips per day.

A de-acceleration lane and a crossover are needed for ingress/egress to U.S. Highway 290 to insure the safety of the residents of this development. Approval of a package treatment plant for this development is required from the Texas Water Quality Board. Withdrawal of the previous subdivision is required, and a revised site plan should be submitted, showing the new location of Summerlawn Drive and removing the proposed commercial area which is designated in the flood plain area.

The internal design of this Planned Unit Development is quite acceptable: density is 6.4 units per acre with 64.68% of usable green area; however, the site has a physical limitation in regard to access which makes it impossible to make an objective review of its impact on the area in regard to public safety and welfare. For the foregoing reasons, the staff recommends that this case be postponed until the applicant can provide a plan accepted by the State Highway Department.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

John Jones (representing applicant)
 Slim Curington (representing applicant)
 Jim Langston (representing applicant)
 Carl Feuerbacher: 3603 Ferguson Lane

AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and the departmental requirements. They expressed concern for the provision of a crossover on U. S. Highway 290 for the safety of the residents of this development. They concluded that this request should be referred to the full Commission to allow the applicant time to work with the State Highway Department on the problem of the highway crossover for adequate access to this site.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

C814-72-07 Vara Corporation--Contd.

At the Commission meeting, the staff reviewed the departmental comments. Mr. Stuart Henry, of the Office of Environmental Resource Mangement, requested information regarding any change in the creek channel, as this could cause erosion of property; the applicant reported that a flood study has been made of the creek, which is on file with the City.

Mr. Buford Stewart commended the developer on the treatment of the creek area, which will be preserved in its natural state; he stated that the requested density will allow an economically feasible devlopment of the tract. Mr. Milstead stated that the crossover should be ready for use by the time this tract is developed. The members then

VOTED: To recommend that the request of the Vara Corporation for a Planned Unit Development to be developed on property located at U. S. Highway 290 and the M.K.& T. Railroad be GRANTED, subject to departmental require-ments, to include the construction of a crossover to serve this development at the time it is completed.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

SPECIAL PERMITS

CP14-72-031 R. Brenton Smith, DVM; Veterinarian Clinic (revised)
8106-8110 Shoal Creek Boulevard

STAFF REPORT: This application has been filed as required under Section 6, Sub-Section B, Paragraph 75-b, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. A large modern veterinarian clinic is proposed for this tract. The site plan shows a 6,600 square foot structure on a 0.6 acre tract. "C" Commercial zoning required for this use was granted subject to a subdivision and special permit. The Steck Company approves of the design of this property which is adjacent to their facilities. In submitting this revision, the applicant has incorporated the departmental requirements of the original design. The site plan has been circulated to the various City depart-ments and the comments are on file at the City Planning Department. The staff recommends approval of this request subject to departmental requirements and sub-division.

TESTIMONY

WRITTEN COMMENT
None

PERSONS APPEARING
None

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as proper use for the site, subject to subdivision and departmental requirements.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

CP14-72-031 R. Brenton Smith, DVM--Contd.

The Commission concurred with the Committee recommendation

VOTED: To APPROVE the request of R. Brenton Smith, DVM, for a special permit for the development of a veterinarian clinic on property located at 8106-8110 Shoal Creek Boulevard, subject to subdivision and departmental requirements, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

CP14-72-036 David Lee Frankfurt: 162 Unit Apartment Complex
Burton Drive and Woodland Avenue

STAFF REPORT: This application has been filed as required under Section 5, Sub-Section 8, Paragraph E, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. The applicant proposes one hundred sixty-two units on 4.07 acres of land, a density of 37.4 units per acre. Gross land area required is 156,000 square feet, and total area of lot is 177,096 square feet; therefore, the intensity is well below the maximum allowed by the Ordinance. The site plan shows a crowded design with no usable open space and no extra parking spaces for visitors or recreational vehicles. The site plan has been circulated to the various City departments and the comments are on file at the City Planning Department. The staff recommends approval, subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

David Lee Frankfurt (applicant)
C. L. Reeves (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and a majority concluded that this request should be granted, subject to departmental requirements, except allowing driveways to be twenty-four feet.

AYE: Messrs. Hetherly, Barrow and Faulkner. Mrs. Ashworth
ABSTAIN: Mr. Bobbitt

The Commission concurred with the Committee recommendation and

CP14-72-036 David Lee Frankfurt--Contd.

VOTED: To APPROVE the request of David Lee Frankfurt for a special permit for the development of a 162-unit apartment dwelling group on property bounded by Burton Drive on the west and Woodland Avenue on the north, subject to departmental requirements, except allowing driveways to be twenty-four feet, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Betts, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSTAIN: Mr. Bobbitt
 ABSENT: Mrs. Ashworth and Mr. Barrow

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

CP14-72-037 Cullers and Nutter, Inc.: 184 Unit Apartment Complex
 3633-3723 Manchaca Road

STAFF REPORT: This application has been filed as required under Sections 5 and 6, Sub-Sections 8 and 75, Paragraph E, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This tract contains 10.306 acres of land, to be developed with a density of eighteen units per acre. There is an approved zoning case pending on this tract, C14-71-021, where the dedication of right-of-way by subdivision was required to allow this density of development. A six foot fence around the Fleetwood Drive cul-de-sac and no access to it are also conditions of this case. The site plan has been circulated to the various City departments and the comments are on file at the City Planning Department. The staff recommends approval, subject to the zoning and departmental requirements.

TESTIMONY

WRITTEN COMMENT

Beverly J. Gibles: 3604 Winfield Cove	AGAINST
Barnett Lew: 3613 Winfield Cove	AGAINST

PERSONS APPEARING

Jose Mercado (representing applicant)	
Sgt. George W. Schultz: 3610 Winfield Cove	AGAINST
Bert Dusig: Fleetwood Drive	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded that this request should be granted, subject to departmental requirements.

AYE: Messrs. Hetherly, Barrow and Bobbitt. Mrs. Ashworth
 ABSTAIN: Mr. Faulkner

The Commission concurred with the Committee recommendation and

CP14-72-037 Cullers and Nutter, Inc.--Contd.

VOTED: To APPROVE the request of Cullers and Nutter, Inc. for a special permit for the construction of a 184-unit apartment complex on property located at 3633-3723 Manchaca Road, subject to departmental requirements, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly and Stewart. Mrs. Mather

ABSTAIN: Mr. Faulkner

ABSENT: Mrs. Ashworth and Mr. Barrow

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

CP14-72-038 Jagger Associates: 409 Unit Apartment Project
Timberline Boulevard and Barton Skyway

STAFF REPORT: This application has been filed as required under Section 4-A, Sub-Section A, Paragraph 6-E, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. The applicant proposes development of 409 units on 18.36 acres of land, approximately 22.3 units per acre. The tract was zoned "BB" Residence, Second Height and Area by case C14-70-205. Under this zoning, up to thirty units per acre in buildings sixty feet high would be permitted. The property is adjacent to the Barton Creek greenbelt project. Access is the most critical problem at this time, which will be resolved by subdivision. It would be desirable to shift some of the access points to Timberline Boulevard to reduce the number of curb cuts along Barton Skyway, which will be a major arterial when completed. No internal circulation is provided. Due to the distances involved and the difficulty in pulling a fire hose under pressure, the Fire Department is requesting thirteen hydrants to protect the site. Natural drainage would be across Timberline Boulevard to Barton Creek. All drainage facilities within the site need approval from the Public Works Department. Lack of development in the area makes the effect of noise and glare hard to judge at this time. Name and advertising signs require approval by the Building Inspector's Office before construction. Adjacent streets are adequate, and the developer will build that portion of Barton Skyway in front of their property.

As no internal circulation is possible within the project, the residents and guests will use the public right-of-way to drive from one point in the project to another. This would create an additional load that should not be allowed. Most of the parking has access to Barton Skyway only. There are six curb cuts on Barton Skyway, and one on Timberline Boulevard. There are no provisions for internal circulation through traffic or turnaround facilities capable of handling a garbage truck or a fire truck. In case of an emergency, every vehicle would have only one possible point of exit. The staff recommends a redesign of these facilities for public safety and general welfare.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Sid Jagger (applicant)

Bill Scudder (representing applicant)

CP14-72-038 Jagger Associates--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The members discussed this development plan, and were of the opinion that space should be provided for emergency vehicle turnaround. They concluded that this request should be granted, subject to departmental requirements, except to allow the number of curb cuts on Barton Skyway requested by the applicant.

AYE: Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Jagger Associates for a special permit for the development of a 409-unit apartment project on property located at Timberline Boulevard and Barton Skyway, subject to departmental requirements, except to allow the number of curb cuts on Barton Skyway as shown on the site plan, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

CP14-72-039 Florence E. Richey: Rehabilitation Center and Rooming House
1310-1402 Newning Avenue

STAFF REPORT: This application has been filed as required under Section 45.19, Paragraph h (1) of the Austin City Code. The applicant is proposing the conversion of ten existing residences to boardinghouse type quarters. An eleventh residence is being converted for clinic facilities with an addition of 1,600 square feet. The eleemosynary institution will be operated by nine staff members. The project will be located on a heavily wooded tract and surrounded by private residences. No parking facilities are shown near the main building. Since the residents will not be allowed to have cars, the driveways and parking provided at the boarding units will be unused. Four City departments have commented on the unacceptability of the existing parking facilities for the proposed use. One solution which may be satisfactory is one main drive twenty-five feet wide with sufficient parking for twenty cars, with direct access to the main building and walking access to the other units, and replacing the other drives with lawn and landscaping. A subdivision is required on this tract.

TESTIMONY

WRITTEN COMMENT

Ken Hotchkin: 1203 Newning Avenue	AGAINST
Mrs. Millie Mikulencak: 1404 Newning Avenue	AGAINST

PERSONS APPEARING

Forest Troutman (representing applicant)
Jack Ledbetter (representing applicant)

CP14-72-039 Florence E. Richey--Contd.

Greg Keeler
Mrs. Stewart Harris: 1410 Newning Avenue
Clemmie Frails

FOR
AGAINST
AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information. Mr. Barrow stated that twenty-five foot driveways are not necessary on this particular site, which is heavily wooded. The members requested that consideration be given to conserving the trees on this tract. Also discussed was the possibility that this use could change to a rehabilitation center for drug uses, rather than the present use as an alcoholic rehabilitation center. The members concluded that this request should be granted, subject to departmental requirements, and limiting the use to an Alcoholic Rehabilitation Center.

AYE: Messrs. Hetherly, Barrow, Bobbitt and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Florence E. Richey for a special permit for the operation of a rehabilitation center and rooming house on property located at 1310-1402 Newning Avenue, subject to departmental requirements and limiting the use to an Alcoholic Rehabilitation Center, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of this decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of July 25, 1972, and requested that this action be made a part of the minutes of this meeting of the Planning Commission.

C8-53-63 Valley Side Heights
Krause Lane

The staff reported that the owner is requesting vacation of this subdivision plat, as there is no intent to develop the subdivision, which will revert back to the raw land. This vacation is recommended, subject to the retention of an existing waterline easement in the right-of-way of Wedgewood Road. The Commission then

VOTED: To APPROVE the request for the vacation of the plat of VALLEY SIDE HEIGHTS, subject to the retention of waterline easement in the right-of-way of Wedgewood Road.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

Final Subdivision Plats--Contd.

- C8-72-34 Westview Estates, Section Two
Circle Drive and Pitter Pat Lane
- C8-72-36 Crown Ridge Village, Section One
Rundberg Lane and Crown Ridge Road
- C8-72-47 Colony Park, Section One, Phase Two
Decker Lake Road and H & TC Railroad
- C8-72-48 Greenway Plaza, Section Four
North Plaza and Park Plaza
- C8-72-64 Oak Forest, Section Two
Oak Knoll Drive and Meadow Drive
- C8-72-76 Avon Heights, Section Eight
Meadowridge Drive and Blue Bonnet Lane

AYE: Messrs. Milstead, Bobbitt, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

- C8-71-138 Buckingham Ridge, Section One
South Congress and Eberhart Lane

This final subdivision has appeared before the Commission in the past and has now met all departmental requirements. The staff recommends approval. The Commission then

VOTED: To APPROVE the subdivision plat of BUCKINGHAM RIDGE, SECTION ONE.

AYE: Messrs. Milstead, Bobbitt, Faulkner and Stewart. Mrs. Mather
 ABSTAIN: Mr. Hetherly
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

- C8-72-62 Mesa Oaks Village
Spicewood Springs Road and Mesa Drive

The staff reported that a variance is requested on this subdivision plat to exclude the balance of the tract. It is recommended that this variance be granted, and that this plat be approved. The Commission then

VOTED: To APPROVE the subdivision plat of MESA OAKS VILLAGE, and GRANTING the variance to exclude the balance of the tract.

AYE: Messrs. Milstead, Bobbitt, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

- C8-71-176 Tierra Del Rey
Ranch Road 2222

The staff reported that the applicant is requesting a six-month extension on this preliminary subdivision plat, which is recommended. The Commission then

VOTED: To APPROVE a six-month extension for the preliminary subdivision plat of TIERRA DEL REY.

AYE: Messrs. Milstead, Bobbitt, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

Final Subdivision Plats--Contd.

The Commission then

VOTED: To ACCEPT FOR FILING AND APPROVE C8-72-78 SALEM WALK SUB-STATION SUBDIVISION.

AYE: Messrs. Milstead, Bobbitt, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE C8-72-87 INDIAN HILLS, SECTION FOUR, pending compliance with departmental requirements, current tax certificates, required fiscal arrangements and required easements.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plats, pending compliance with departmental requirements, current tax certificates, and required fiscal arrangements.

- C8-71-66 McCall Estates (Revised)
 McCall Lane and Seeling Drive
- C8-72-96 Forest North Estates, Phase Two
 Broadmeade Avenue and Shady Oaks Drive

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plats, pending compliance with departmental requirements and required fiscal arrangements.

- C8-69-73 Gray and Becker Industrial Subdivision
 Saunders Boulevard
- C8-72-37 Oak Hollow
 Shadow Mountain Drive and Greystone Drive
- C8-72-46 Knollwood C
 Forest Hills Drive and Castle Ridge

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plats, pending compliance with departmental requirements and current tax certificates.

- C814-72-005 The Park at Battle Bend Springs (PUD)
 Fort Clark Drive
- C8-72-67 Northview Hills, Section One
 Texas Plum Road and Mellow Lane
- C8-72-88 Oak Forest, Section Three
 Danwood Drive and Fireoak Drive
- C8-72-102 Rosewood Village, Section Seven
 Pleasant Valley Road and Glen Oaks Drive

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plat, pending compliance with departmental requirements.

- C8-72-17 Capitol Ridge Addition
 Valley View Drive and El Viejo Camino

AYE: Messrs. Milstead, Bobbitt, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

SHORT FORM SUBDIVISIONS

Five short form subdivisions have appeared before the Commission in the past and have now complied with all departmental requirements; the staff recommends that these be approved. The Commission then

VOTED: To APPROVE the following short form subdivision plats:

- C8s-70-19 Lots 3 & 4, Block A, Balcones Village,
Brookwood Road Section 3 Unplatted Land
- C8s-72-210 Dayton Plumbing Addition
Research Boulevard
- C8s-72-215 Resubdivision of Part of Block 6, Driskills
Rainey Street and Rainey's Subdivision
- C8s-72-222 Resubdivision Lots 1 & 2, Block 3, Hartwell
East 2nd Street & Broadway Addition, Section 1
- C8s-72-224 2nd Resubdivision of Quail Creek, Phase 2, Section 3
Trone Circle and Peyton Gin Road

AYE: Messrs. Milstead, Bobbitt, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

Two short form subdivisions are appearing before the Commission for the first time and have complied with all departmental requirements; the staff recommends approval. The Commission then

VOTED: To ACCEPT FOR FILING AND APPROVE the following short form subdivision plats:

- C8s-72-230 Resubdivision of Lots 24 & 25, Woodland Hills,
Sylvan Drive Section Three
- C8s-72-235 Lots 17 & 18A, Portion of Lot 16, Block 6,
Swanee Drive Silverstone Heights

AYE: Messrs. Milstead, Bobbitt, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

Twelve short form subdivisions are appearing before the Commission for the first time and have not met all departmental requirements. The staff recommends that they be accepted for filing and disapproved pending requirements. The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision plats, pending compliance with departmental requirements:

- C8s-72-227 Lakeway Resubdivision, Section 16, Lots 1331 & 1332
Flying Scot and Champion Drive
- C8s-72-231 3 Point Acres, Section 2, Revised
Highway 81 and McCoy Street
- C8s-72-233 Resubdivision Lot 9, Camelot, Section One
Castle Ridge Road
- C8s-72-237 Birkner Addition
St. Elmo Road and Garnett Street
- C8s-72-238 The A. I. Dow Addition
West 39 1/2 Street and Seiders Avenue
- C8s-72-240 The Murchison Addition
Old Bee Caves Road

Short Form Subdivisions--Contd.

- C8s-72-241 1st Resubdivision Frontier Village, Section 2
U.S. 290 and West Gate Boulevard
- C8s-72-242 2nd Resubdivision, Inland Greens
Quail Valley and Inland Greens
- C8s-72-243 Easements Plat for The Park at Quail Creek
Rutland Drive and Park Village Drive
- C8s-72-244 Resubdivision of Wolsch Subdivision Lot 6, Block 5,
Cannon League Drive and Miles Avenue Manchaca Estates
- C8s-72-245 Florence E. Richey Subdivision No.2
Newning Avenue
- C8s-72-246 Crumley, Ramsey and Pryor Addition
Nixon Lane

AYE: Messrs. Milstead, Bobbitt, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision,
 pending compliance with departmental requirements and current tax certificates.

- C8s-72-239 2nd Resubdivision Community of Fairview, Section 6
Woodbine Drive

AYE: Messrs. Milstead, Bobbitt, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision,
 pending compliance with departmental requirements and current tax certificates.

- C8s-72-247 Bannockburn, Section Two
Bannockburn Drive

AYE: Messrs. Milstead, Bobbitt, Faulkner and Hetherly. Mrs. Mather
 ABSTAIN: Mr. Stewart
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

One short form subdivision is appearing before the Commission for the first time
 and has met all departmental requirements. A variance is being requested on this
 subdivision on the signature of the adjoining owner. It is recommended that this
 variance be granted, and that this subdivision be accepted and approved. The
 Commission then

VOTED: To ACCEPT FOR FILING AND APPROVE the following short form subdivison,
 GRANTING the requested variance on the signature of the adjoining owner.

- C8s-72-228 Resubdivision of Pleasant Hills Addition
Red Bird Lane and U.S. Highway 81

AYE: Messrs. Milstead, Bobbitt, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

Short Form Subdivisions--Contd.

Two short form subdivisions are appearing before the Commission for the first time and have not met all departmental requirements. A variance is being requested on both these subdivisions on the signature of the adjoining owner. It is recommended that this variance be granted, and that these subdivisions be accepted for filing and disapproved, pending compliance with departmental requirements. The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivisions, pending compliance with departmental requirements, and GRANTING the requested variance on the signature of the adjoining owner.

<u>C8s-72-229</u>	<u>Mrs. A. J. Lasseter Subdivision</u>
	Manchaca Road
<u>C8s-72-232</u>	<u>Haskel Hudson Subdivision</u>
	U.S. Highway 290

AYE: Messrs. Milstead, Bobbitt, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

Two short form subdivisions are before the Commission for the first time, and are requesting a variance be granted on the signature of the adjoining owner. As no letters have been received from the adjoining owners, it is recommended that these plats be postponed. The Commission then

VOTED: To POSTPONE the following short form subdivisions.

<u>C8s-72-234</u>	<u>Rebecca Wingo Subdivision</u>
	West 27th Street
<u>C8s-72-236</u>	<u>Edsel Pearson Subdivision</u>
	Elroy Road and Highway 812

AYE: Messrs. Milstead, Bobbitt, Faulkner, Hetherly and Stewart. Mrs. Mather
 ABSENT: Mrs. Ashworth. Messrs. Barrow and Betts

STREET VACATIONS

<u>C10-72-122</u>	<u>C. Ben Hibbetts</u>
	Hancock Drive at North Loop Boulevard

The staff reported that this request was postponed from July, 1972 to allow the Traffic and Transportation Department time to conduct field surveys and office design investigations, as they were concerned about visibility clearance and design. This department now recommends approval of this request, subject to the following restrictions: that the remainder of this property be left for City use; no additional access permitted to this property from the west; the ten-foot strip purchased may not be utilized for parking vehicles.

The members reviewed the information and expressed concern that automobiles would use the area on the east side of the gasoline pumps even though the driveways are not extended. They concluded that the placement of a curb would solve this problem.

Street Vacations--Contd.

The members then

VOTED: To recommend that the ten-foot portion of Hancock Drive at North Loop Drive be VACATED, subject to no vehicular access from area vacated; no vehicular parking on the area vacated; and placement of a curb along the east line of the area vacated.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C10-72-123 State Building Commission

That portion of Colorado Street alley from West 15th Street to West 16th Street

The request is for the purpose of landscaping and beautifying the grounds around two historical structures located on this block. The southern portion of this alley falls within the proposed right-of-way for the cross-town expressway, and it is recommended that this portion not be vacated until this right-of-way is resolved. The members reviewed the information and

VOTED: To recommend that the north eighty (80) feet only of the Colorado Street alley from West 15th Street to West 16th Street be VACATED, subject to retention of easements.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C10-72-124 Mrs. Ethel V. Davis

Sabine Street from East 12th Street to East 12th Street Alley

The staff reported that the applicant owns the property on the northeast corner of 12th and Sabine Streets. A previous request for vacation of this street was denied by the City Council, as the Traffic and Transportation Department requested that the street be left open for access to the Brackenridge Hospital emergency facility. Sabine Street is presently one-way south, and this access would be for ambulances leaving the facility. None of the City departments objected to the vacation of this alley, subject to the retention of easements, except the Traffic and Transportation Department, who recommend that this street not be vacated until Red River Street is relocated and the hospital complex has been constructed. The vacation of this street is part of the Urban Renewal Plan as adopted by the City Council.

Mrs. Ethel V. Davis, applicant, and Mr. Clifford Kaufman of the Urban Renewal Agency, presented testimony on the history of this tract and this request for vacation.

The members discussed the information. They were of the opinion that adequate access to Brackenridge Hospital is very important and should be maintained. However, it appears that the applicant has suffered financial loss on this property due to the denial of the original vacation request, and deserves to have this transaction completed.

Street Vacations--Contd.

The Commission then

VOTED: To recommend that Sabine Street from East 12th Street to East 12th Street Alley be VACATED, subject to easements. It is also recommended, if this request is denied, that a suitable settlement be made with the applicant on this property.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C10-72-125 Buford Stewart
All of Grassland Circle south from Stassney Lane

The staff reported that the plan for development of this tract of land has changed, and this cul-de-sac is no longer needed. All departments recommend this request, subject to the retention of easements. The Commission then

VOTED: To recommend that all of Grassland Circle south from Stassney Lane be VACATED, subject to the retention of easements.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner and Hetherly. Mrs. Mather

ABSTAIN: Mr. Stewart

ABSENT: Mrs. Ashworth and Mr. Barrow

C10-72-126 Urban Renewal Plan for Brackenridge Area
Neches Street and 11th Street Alley

The staff reported that this request is in conformance with the Urban Renewal Plan as adopted by the City Council. This request is recommended, subject to the retention of easements. The Commission then

VOTED: To recommend that Neches Street and the 11th Street Alley be VACATED, subject to the retention of easements.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

SURPLUS PROPERTY

C7-72-8(a) Sale of City Property
2410 Hartford Road

The staff reported that this property was originally purchased for the right-of-way of MoPac Expressway and this portion is not needed for this use. It is recommended for sale, with access restricted to the existing driveway on Hartford Road. The members reviewed the information and

VOTED: To RECOMMEND the sale of City Property No. S-126 at 2410 Hartford Road, subject to restriction of access to Hartford Road.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

Surplus Property--Contd.

C7-72-8(b) Sale of City Property
4518 Highland Terrace

The staff reported that this property was originally purchased for the MoPac Expressway right-of-way; this remaining portion is not needed for this use. It is recommended for sale, with limitation of no access to MoPac Expressway. The members reviewed the information and

VOTED: To RECOMMEND the sale of City Property No. S-128 at 4518 Highland Terrace, subject to no access to MoPac Expressway.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C7-72-8(c) Sale of City Property
4530 Highland Terrace

The staff reported that this property was originally purchased for the MoPac Expressway right-of-way and the remaining portion is not needed. It is recommended for sale, with limitation of no access to the MoPac Expressway. The members reviewed the information and

VOTED: To RECOMMEND the sale of City Property No. S-129 at 4530 Highland Terrace, subject to no access to the MoPac Expressway.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

OTHER BUSINESS

C2-72-8 Subdivision Ordinance Amendment (Text)
Section 41.1 Definitions

The following amendments to the Subdivision Ordinance are recommended by the Legal Department and the Planning Department. These amendments will bring the Ordinance into conformance with State statutes. In addition, the subdivision of tracts larger than three acres will be required. This has not been done in the past, causing problems of access, as the City cannot serve a tract of land with utilities if it does not front on a public street.

Subdivision. Subdivision means the division of any lot, tract or parcel of land into two or more lots or sites for the purpose of sale or of building development, whether immediate or future. It also includes resubdivision of land or lots.

Suburban subdivision. Suburban subdivisions means and includes all subdivisions situated within five miles of the city limits or within a water control and improvement district controlled by the City of Austin which are not urban subdivisions as herein defined.

Urban subdivision. Urban subdivision means: (a) A subdivision within the city limits, and (b) a subdivision which is within two

Other Business--Contd.

miles of the city limits, and (c) any subdivision within 2-5 miles of the city limits or within a water control and improvement district controlled by the City of Austin which has a proposed lot density of 2.5 lots or tracts or more per acre. As used in this definition the term "city" includes all territory within the city limits.

The members reviewed and discussed the information; it was noted that fiscal arrangements for streets are not required until the final plat is submitted. The Commission members then

VOTED: To RECOMMEND THE ADOPTION of amendments to the Subdivision Ordinance text, Section 41.1.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

C1-72-3 Minutes

Approval of April, 1972 and May, 1972 Subdivision Committee Minutes.

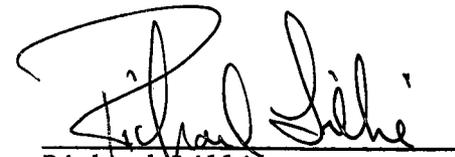
The Commission

VOTED: To APPROVE the minutes as submitted of the Subdivision Committee meetings of April, 1972 and May, 1972.

AYE: Messrs. Milstead, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mrs. Mather

ABSENT: Mrs. Ashworth and Mr. Barrow

The meeting was adjourned at 11:45 p.m.



Richard Lillie
Executive Secretary